IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 5447 OF 2005

Rajaram Vishnu Patil and anr. ... Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. Amit Sali for Petitioner.

Mr. V.P. Malvankar, A.G.P. for Respondent Nos. 1 to 3.

Mr. Abhinandan B. Vagyani for Respondent No. 4.

CORAM : F.I. REBELLO &
DR. D.Y. CHANDRACHUD,JJ.
DATED : 20TH SEPTEMBER, 2005

P.C.

. According to Respondent No. 4, Petitioners are the Members who are in default. Once that be the case, that will be dispute touching the business of the society and the petitioners therefore, have a remedy under the provisions of the M.C.S. Act by raising a dispute.

. According to Petitioners they are relying on the notice dated 28.3.2005 addressed by Respondent No. 2 to Respondent No. 4. At the highest if respondent No. 4 does not act on the notice issued by Respondent No. 2, it would be open to Respondent No. 2 to take action if entitled to.

. The extra ordinary jurisdiction of this court is not for the aid of those who are in arrears and more so when they have alternative remedy at law. In the light of that, no interference is called for. Petition rejected.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)